

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

DIANA WIERZCHOS,

Plaintiff,

v.

UNITED STATES SMALL BUSINESS
ADMINISTRATION,

Defendant.

CASE NO. C21-1539JLR

ORDER TRANSFERRING CASE
TO THE MIDDLE DISTRICT OF
FLORIDA

Plaintiff Diana Wierzchos submitted an *in forma pauperis* (“IFP”) application and a complaint. (IFP Application (Dkt. # 1); Compl. (Dkt. # 1-1).) The complaint alleges Ms. Wierzchos resides in Ocala, Florida and seeks to sue Defendant the United States Small Business Administration (“SBA”) in Washington, D.C. (*See* Compl. at 1, 4.) Specifically, Ms. Wierzchos alleges that she sent an application to the SBA for “EIDL advance and supplemental targeted advances” and the SBA denied her application on the grounds they had not “received business presence verification.” (*Id.* at 5.)

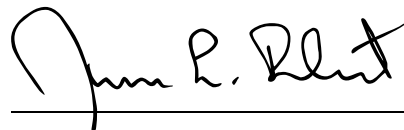
The complaint plainly establishes venue does not lie in this federal district because actions against agents of a United States agency should be brought in the judicial district in which the defendant resides, where a substantial part of the events giving rise to the

1 claim occurred, or where the plaintiff resides. *See* 28 U.S.C. § 1391(e)(1). Because Ms.
2 Wierzchos resides in Ocala, Florida and alleges the SBA in Washington, D.C. denied her
3 request for “advances,” venue properly lies in the Middle District of Florida.

4 When a case is filed in the wrong district, the district court “shall dismiss, or if it
5 be in the interest of justice, transfer such case to any district or division in which it could
6 have been brought.” 28 U.S.C. § 1406(a). The court concludes that it is in the interest of
7 justice to transfer the instant action so that the Middle District of Florida can screen the
8 IFP application and the case under its own requirements and 28 U.S.C. § 1915.

9 The court accordingly ORDERS: (1) this case is hereby TRANSFERRED to the
10 United States District Court for the Middle District of Florida; (2) the Clerk shall take the
11 steps necessary to transfer this case; and (3) the Clerk shall provide a copy of this order to
12 Ms. Wierzchos.
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14 DATED this 15th day of November, 2021.

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17 JAMES L. ROBART
18 United States District Judge
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